

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRIANA ATKINSON,

Plaintiff,

v.

GARTH TRAIL, et al.,

Defendants.

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**ORDER**

No. 20-CV-06101 (PMH)

PHILIP M. HALPERN, United States District Judge:

On March 7, 2022, the parties filed, *inter alia*, Proposed Jury Instructions in connection with the upcoming jury trial. (Doc. 45). The parties are hereby directed to revise those Proposed Jury Instructions as follows:

(1) assign a number to each proposed charge;

(2) eliminate references to inapplicable fact patterns and tailor the proposed charges to this fact pattern (*see, e.g.*, p. 20 “Plaintiff claims that he became anxious and fearful at the sight of defendants approaching his door with their shield and weapons, ultimately taking him to the ground, punching, kicking and beating him.”); and

(3) propose a jury charge for an absent defendant, in the event that defendant Trail is not present at the trial.

The revised Proposed Jury Instructions shall be filed via ECF, with a Word version simultaneously e-mailed to Chambers at [HalpernNYSDChambers@nysd.uscourts.gov](mailto:HalpernNYSDChambers@nysd.uscourts.gov), by **April 4, 2022**.

The Clerk of the Court is requested to mail a copy of this Order to defendant Trail.

SO ORDERED.

Dated: White Plains, New York  
March 28, 2022



Philip M. Halpern  
United States District Judge